

रजिस्ट्रेशन नं० पी०/एस० एम० 14.



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 2 अप्रैल, 1980/13 चैत्र, 1902

हिमाचल प्रदेश सरकार

हिमाचल प्रदेश चतुर्थ विधान सभा

अधिसूचना

शिमला-4, अप्रैल 1, 1980

संख्या 1-14/80-वि०स०.—हिमाचल प्रदेश विधान सभा प्रक्रिया एवं कार्य संचालन नियम, 1973 के नियम 135 के अन्तर्गत द हिमाचल प्रदेश नर्सिङ रजिस्ट्रेशन (ग्रामैण्डपमेंट एण्ड वैलिडेशन) बिल, 1980 (बिल न० 3 आफ 1980) जो कि

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हिमाचल प्रदेश विधान सभा में 1 अप्रैल, 1980 को पुरः स्थापित किया गया है, की एक प्रति, सर्व साधारण को सूचनार्थ हिमाचल प्रदेश सरकार के राजपत्र में मुद्रित करने के लिए प्रेषित की जाती है ।

सुरेन्द्र प्रकाश,  
सचिव ।

Bill No. 3 of 1980.

**THE HIMACHAL PRADESH NURSES REGISTRATION  
(AMENDMENT AND VALIDATION) BILL, 1980**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

**BILL**

*to amend the Himachal Pradesh Nurses Registration Act, 1977 (Act No. 15 of 1978) and to validate the constitution of the interim Council constituted thereunder and its orders, proceedings and acts, etc.*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-first Year of the Republic of India as follows:—

1. This Act may be called the Himachal Pradesh Nurses Registration (Amendment and Validation) Act, 1980.

Short title.

2. In sub-section (6) of section 3 of the Himachal Pradesh Nurses Registration Act, 1977 (hereinafter called the principal Act) for the words "one year" occurring in between the words "not exceeding" and "from such" the words "three years" shall be substituted.

Amendment of section 3.

3. The Himachal Pradesh Nurses Registration Council constituted vide the Himachal Pradesh Government notification No. 2-16/71-H&FP dated 8-2-1979 published in the Rajpatra, Himachal Pradesh dated the 24th February, 1979 shall be deemed to be and always to have been validly constituted for a period of two years with effect from the 1st day of August, 1978 i.e., the date of the commencement of the principal Act, irrespective of the fact that the term of the said Council was to expire on 1-8-1979 and all orders made, proceedings taken, appointments made, examinations conducted, licences, diplomas and certificates issued, registrations and rules made and acts done by or in the name of the said Council after 1-8-1979 shall be deemed to be and always to have been validly made, taken, conducted, issued and done, as if the said Council has been duly constituted initially for a period of two years.

Validation of the constitution of the interim Council constituted under section 3(6) and its orders, proceedings and acts, etc.

4. No suit or other legal proceeding, whatsoever, shall lie in any court against the State Government or the said Council or its officers for and on account of, or in respect of, any such orders made, proceedings taken, appointments made, examinations conducted, licences, diplomas or certificates issued, registrations or rules made or acts done as aforesaid and validated by the provisions of the preceding section.

Bar of legal proceedings.

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## STATEMENT OF OBJECTS AND REASONS

Sub-section (6) of section 3 of the Himachal Pradesh Nurses Registration Act, 1977 (Act No. 15 of 1978) provides for the constitution of an interim nominated Council for a period till regularly elected Council could be constituted but such period is in no case to exceed one year.

2. In pursuance of the said provisions the interim Council was constituted *vide* State Government notification No. 2-16/71-H&FP dated 8-2-1979 published in the Rajpatra, Himachal Pradesh dated 24th February, 1979 and its term expired on 1-8-1979 *i.e.* after one year from the commencement of the Act. This Council could not accomplish the purpose for which it was established. The regular Council under the Act also could not be constituted due to the non-finalisation of relevant rules for the election of members.

3. In the absence of either interim or regular Council, it is not possible to conduct either the election of the regular Council or the examinations of the trainees scheduled to be held in the month of March, 1980. It has also been observed that the examinations of general nurses and midwives have been conducted and appointments of the ministerial staff for that purpose and the registrations under the Act have been made in the name of the said Council after the expiry of its term. Thus it has also become necessary to validate the said actions taken by or in the name of the said Council after the expiry of its term.

The Bill seeks to achieve the aforesaid objects.

SIMLA:  
The April 1, 1980.

SHIV KUMAR,  
*Minister-in-charge.*

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## FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to validate certain actions taken by or in the name of the interim Council after the expiry of its term. A sum of Rs. 2062.34 P. was spent by, and an income of Rs. 1393.40 P. accrued to, the said Council during the period with regard to which the proposed Bill seeks to validate actions of the said Council. However, there will be no recurring expenditure. No part of the said income is to be appropriated to, or the said expenditure incurred is to be borne out of, the State exchequer.

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## MEMORANDUM REGARDING DELEGATED LEGISLATION

Nil